## EXHIBIT 1

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Page 1
 1
 2
     IN THE UNITED STATES BANKRUPTCY
 3
     SOUTHERN DISTRICT OF NEW YORK
 5
    IN RE:
 6
                                 Case No.:
 7
                                 19-13895-jlg
 8
    ORLY GENGER,
 9
      Debtor.
10
       ----X
11
                        July 15, 2020
12
                        9:48 a.m.
13
14
                    *3RD REVISED*
15
           INTERNET STREAMING EXAMINATION BEFORE
16
    TRIAL of SAGI GENGER, the Non-Party Witness in
17
    the above-entitled action, taken on behalf of
18
    the aforementioned parties, held at the above
19
    time and place, and taken before Dorene Glover,
20
    a reporter and Notary Public within and for the
21
    State of New York.
22
23
24
25
    Job No. 181828
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1	Pana C	1	Dana 7
	Page 6 GENGER	1	Page 7 GENGER
2	number one of the video recorded	2	The law firm is Reitler, Kailas and
3	deposition of Sagi Genger, In Re: Orly	3	Rosenblatt and we represent Orly Genger.
4	Genger, in the United States Bankruptcy	4	MR. CAVALIERE: Rocco Cavaliere
5	Court Southern District of New York.	5	Tarter, Krinsky & Drogin. On behalf of
6	Case number 19-13895 JLG.	6	Debra Piazza P-I-A-Z-Z-A, the Chapter 7
7	This deposition is being held via	7	trustee.
8	videoconference with all participants	8	MR. GARTMAN: Chris Gartman from
9	appearing remotely due to COVID-19	9	Hughes, Hubbard and Reed, on behalf of
10	restrictions, on Wednesday, July 15th,	10	Creditor ADBG, LLC.
11	2020, at approximately 9:50 a.m.	11	THE VIDEOGRAPHER: If that's
12	My name is Tim Falk. I am the	12	everyone, will the court reporter please
13	Legal Video Specialist from TSG	13	swear in the witness.
14	Reporting Incorporated headquartered at	14	MR. DELLAPORTAS: This is John
15	228 East 45th Street, New York, New	15	Dellaportas, D-E-L-L-A-P-O-R-T-A-S, of
16	York.	16	Emmet, Marvin and Martin, LLP on behalf
17	The court reporter is Dorene Glover	17	of the witness Sagi Genger.
18	in association with TSG Reporting.	18	MR. BORRIELLO: This is Jared
19	Counsel, please introduce	19	Borriello from Togut, Segal and Segal on
20	yourselves.	20	behalf of creditor Arie Genger.
21	MR. HERSCHMANN: Eric Herschmann.	21	THE VIDEOGRAPHER: If the court.
22	Does anyone else want to do a	22	reporter will please swear in the
23	MR. BOWEN: Michael Bowen with the	23	witness.
24	law firm of Kasowitz, Benson & Torres.	24	MR. KURLAND: We're still missing
25	MR. GERON: This is Yann Geron.	25	one. Paul has not appeared yet.
23	MR. GERON. THIS IS TAIM GETON.	23	one. Faur has not appeared yet.
1	Page 8	1	Page 9
1	GENGER	1	GENGER
2 3	MR. LEBOV: Yeah, I'm here. You have my information. I e-mailed it to	2 3	A. I may be. That's the number that was up before on the screen?
4	-	1 3	
	ron Dani Tabar an babalf of Dalia	1	<u> </u>
-	you. Paul Lebov on behalf of Dalia	4	Q. That's correct, sir.
5	Genger.	5	Q. That's correct, sir.  A. I think that's Mr. Oldner's number,
5	Genger.  MR. HERSCHMANN: We also have John	5 6	Q. That's correct, sir.  A. I think that's Mr. Oldner's number, but I'm not sure.
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Genger.  MR. HERSCHMANN: We also have John Gonzalez. He is a paralegal. Can you swear in the witness, please?  THE WITNESS: Dorene, I would like to affirm.  S A G I G E N G E R, the witness herein, having first been duly sworn by a Notary Public of the State of New York, was examined and testified as follows:  EXAMINATION  BY MR. HERSCHMANN: Q. Mr. Genger, my name is Eric Herschmann. I'm going to ask you a series of questions today. I ask that you listen to my questions very carefully and only answer to the question that I pose to you. Is that okay?  A. I'll do my best.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. That's correct, sir.  A. I think that's Mr. Oldner's number, but I'm not sure.  Q. Well, do you have a way of checking whether that's Mr. Oldner's number do you understand why Mr. Oldner would be dialing into your deposition and then did not identify himself?  A. No, I don't know why he would not identify himself or hang up.  Q. Did you discuss with him at all that you were having your deposition today?  A. Yes.  Q. Did you provide him the log-in information to your knowledge who provided him your log-in information to your deposition?  A. I did.  Q. To your knowledge, is Mr. Oldner now trying to listen in to the deposition
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Genger.  MR. HERSCHMANN: We also have John Gonzalez. He is a paralegal. Can you swear in the witness, please?  THE WITNESS: Dorene, I would like to affirm.  S A G I G E N G E R, the witness herein, having first been duly sworn by a Notary Public of the State of New York, was examined and testified as follows:  EXAMINATION  BY MR. HERSCHMANN: Q. Mr. Genger, my name is Eric Herschmann. I'm going to ask you a series of questions today. I ask that you listen to my questions very carefully and only answer to the question that I pose to you. Is that okay?  A. I'll do my best.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. That's correct, sir.  A. I think that's Mr. Oldner's number, but I'm not sure.  Q. Well, do you have a way of checking whether that's Mr. Oldner's number do you understand why Mr. Oldner would be dialing into your deposition and then did not identify himself?  A. No, I don't know why he would not identify himself or hang up.  Q. Did you discuss with him at all that you were having your deposition today?  A. Yes.  Q. Did you provide him the log-in information to your knowledge who provided him your log-in information to your deposition?  A. I did.  Q. To your knowledge, is Mr. Oldner now trying to listen in to the deposition

Page 242 Page 243 1 GENGER 1 **GENGER** 2 differently on the Judy Bachman letter of 2 there's something that happened, but I don't 3 June 17th, how would you have drafted it 3 remember exactly what happened. From 2015 'til 2019, you didn't get differently? 4 Q. 4 5 5 one court order anywhere that would order the Α. I don't recall. 6 Sorry? 6 money be paid into the court, correct? 7 7 I don't recall. You're talking about the Α. Α. 8 Now, I want to show you a document 8 \$32.3 million? 9 that is from index number 651089-2010 it's a 9 Q. That's correct, sir. 10 February 13th, 2015, affirmation of Mr. 10 Α. No, there's no such court order. Dellaportas on behalf of Sagi Genger and the 11 Let's go to page 1. This is an 11 Q. 12 Sagi Genger Trust in support of and joining 12 introduction paragraph two, "by her motion, 13 Elana Genger's motion to substitute and for 13 trustee Dalia Genger (Dalia) seeks to recover 14 payment into court. Pull that up for a moment, 14 for the Orly Genger 1993 trust, the Orly trust 15 sir. 15 \$32,300,000 in trust assets which Orly Genger 16 16 has misappropriated for her own benefit and Mr. Genger, this is a filed 17 document, Document 1229 on the court's docket. 17 that of her father and the hedge fund investors And I will represent to you on the last page, 18 18 who fund Arie's lawsuits. New York law 19 page 19, there's a signature from Mr. 19 requires that the proceeds from the settlement 20 Dellaportas. 20 of the Orly Trust be paid into the court." 21 21 In 2015, you had asked along with You see that, sir? 22 your mother, that the proceeds from the Trump 22 Yes. Α. Next paragraph, your lawyer, Mr. 23 settlement agreement from 2015 be paid into the 23 24 24 Dellaportas, says, "Orly is not the only victim court, correct? 25 25 Α. No, I remember someone asked -when she steals from the Orly Trust." Page 244 Page 245 GENGER 1 **GENGER** 1 2 You see that? 2 representations to the court were not accurate 3 3 Yes. or truthful? Α. 4 It says, right in the next sentence 4 Α. I made no such filing. 5 that Orly is not the sole beneficiary. 5 Now, sir, turn now to page 2. Sir, 6 addition to Orly, the Orly trust also has a you claim in this bankruptcy that -- let me --6 7 7 contingent remainder beneficiary, the Sagi go to paragraph six, can you go up? 8 trust. 8 Pause for a moment. Because 9 9 normally I have all the documents. I just want You see that, sir? 10 Yes. 10 to ask when is this document from? What year? Α. 11 2015. 11 Sir, you understand that your Ο. 12 sister was the primary trust beneficiary of the 12 Α. Okav. 13 13 In 2015, you and your mother have Orly Genger 1993 trust, right, and that Orly --14 that your trust was contingent beneficiaries, made all types of filings and allegations 14 15 right? 15 trying to get the \$32,300,000 paid into the 16 MR. DELLAPORTAS: Objection. Calls court, but you've never been successful, right, 16 17 for legal conclusions. 17 sir? It's not a new allegation. It's been 18 around for years, right? Sir, did you challenge Mr. 18 19 Dellaportas when he made this representation in 19 She's made a request in surrogates 20 20 court under oath? Did you make any filings to court. So I'm going to just think about the 21 correct -- you told us earlier, you take all 21 question. 22 the filings that's Mr. Dellaportas makes on 22 Well, sir, this is an affirmation 23 your behalf very seriously. Did you at any 23 submitted by your lawyer. By your lawyer in 24 point make a filing in court or tell Mr. 24 the Supreme Court in the State of New York 25 Dellaportas to make a filing in court and his 25 County of New York in support of your mother's

Page 246 Page 247 1 GENGER 1 GENGER 2 2 There has been no successful order application. 3 3 of the \$32,300,000 into court. This document Are you telling us you didn't discuss this with Mr. Dellaportas before he 4 is evidence that apparently at one point I 5 5 filed it? tried. 6 MR. DELLAPORTAS: Objection. Calls 6 Q. With Mr. Dellaportas and your 7 for privileged communications. Direct 7 mother, right, sir? 8 him not to answer. 8 I don't know if it's Mr. 9 Is Mr. Dellaportas -- let me make 9 Dellaportas. Unless he says otherwise on my 10 sure we are clear because this paragraph, this 10 behalf, it's certainly on my behalf. whole thing says, "I am a member of the firm 11 Q. The first paragraph talks about 11 12 counsel for Sagi Genger in the Sagi Genger 1993 12 it's in support joining in your mother's 13 13 motion. Trust, Sagi Genger, the Sagi Genger Trust 14 supports and jointed trustee Dalia Genger's 14 As I'm trying to explain to you, I Α. 15 motions to (inaudible) for plaintiff Orly 15 don't remember the document in detail. To the 16 Genger or her derivative claims against the 16 extent then it says what it says, and I can't 17 Trump Group and for an order directing 17 really add or subtract it, but especially without having the whole document in front of 18 settlement proceeds be paid into court. 18 19 Do you see that, sir? 19 me, I can't speak to it. I'm sure the document 20 Α. I do. 20 is genuine. It rings a bell. 21 21 So you tried with Mr. Dellaportas Q. Sir, just so we're clear, you filed 22 for years now, to have the \$32,300,000 paid 22 a turnover motion after your sister -- you got 23 into court, but you were never successful, 23 a judgment against your sister in the Southern 24 right? 24 District of New York also by Mr. Dellaportas 25 25 MR. DELLAPORTAS: Object to form. trying to have the \$32,300,000 paid into the Page 248 Page 249 GENGER 1 **GENGER** 1 2 2 rule when your turnover motion, when no one has court, correct? 3 Α. Correct. I don't know if it's paid 3 even responded to it yet? into the court. I'm not sure if that's true. 4 4 I think that you're 5 It's a turnover motion. I'm not sure that's 5 mischaracterizing what he said. However, I am paying the court, but whatever it says, that's a fact witness, not a witness on behalf of how 6 7 what it says. I'm not going to change it here. much Mr. Dellaportas makes legal arguments. So 8 Sir, you've made attempts for years I don't think it's really appropriate for me to 9 and years before Orly did it and what was wrong 9 testify about that. I think it's rather --10 -- was your turnover motion scheduled for a 10 You think is the --Ο. hearing in any court before the Orly's 11 11 It was rather clear that the 12 bankruptcy? 12 bankruptcy was filed to stop the turnover 13 13

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I don't know the answer to that. Δ

Ο. Well, sir, did you have some imminent ruling from the court that said we're going to grant this application after all these years and now all of sudden are going to give in? Do you have any ruling like that from any court?

Α. I mean, I think that that's a nonsensical ruling.

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21 22 I agree, sir. So how does your Ο. 23 lawyer Mr. Dellaportas tell the courts that 24 the -- tell other courts that the Southern 25 District of New York was imminently going to proceeding from being adjudicated.

You think it's clear that that's why it was done? What's your basis for that since you were told months beforehand that if the judgment was upheld for an appeal, Orly would be filing for bankruptcy?

Because in your motion to dismiss, you say that Orly filed a bankruptcy because of the actions filed in district court and that would include the turnover action.

Oh, I understand. So you're making the interpretation, I got it. It's not because you were aggressively pursuing your sister post

## 19-13895-jlg Doc 452-1 Filed 06/07/21 Entered 06/07/21 22:34:21 Exhibit 1 Pg 6 of 6

THE VIDEORAPHER: This ends video 2 THE VIDEORAPHER: This ends video 3 THE VIDEORAPHER: This ends video 3 THE VIDEORAPHER: This ends videoraphe 3 THE VIDEORAPHER: This ends videorapher 3 THE VIDEO					
THE VIECOGRAPHER: This ends video number five. This ends today's questioning. Ne are off the record. The Line is 6:33 p.m., the (Nieceupon, at 6:33 p.m., the examination of this witness was concluded.)  SAMI GENGER  10  SAMI GENGER  11  SAMI GENGER  12  SAMI GENGER  13  Subscribed and sworn to before me 14  this day of, 2020.  15  MOTARY FUBLIC  17  18  MOTARY FUBLIC  17  18  MOTARY FUBLIC  17  18  MOTARY FUBLIC  17  18  MOTARY FUBLIC  19  COUNTY OF MONTA  BENGER TO STREET CA T T.  BENGE TO	1	-	1	GENGER	Page 355
Tumber five. This ends today's a questioning. We are off the record.  The time is of 33 p.m. the most conduction of this witness was concluded.)  SMST GENGER  SMST GENGER  This witness was concluded.)  This witness was concluded.  SMST GENGER  This witness was concluded.  SMST GENGER  This witness was concluded.  SMST GENGER  This witness was concluded.  This witness was concluded.	1				
### A STATE OF NEW YORK   1 STATE OF NEW YORK   2 STATE OF NEW YORK   2 STATE OF NEW YORK   3 STATE OF NEW YOR	1				
The time is 6:33 p.m.	1	<del>_</del>		EXAMINATION BY PAGE	
Second continued.   Seco	1	-			
	1				
SAGI GENESR   10   11   12   13   13   14   14   15   15   16   16   16   16   16   16	1		6	PIK. CAVABIBIE	
SAGI GENGER	1				
SAGI GENGER   10   11   12   13   13   14   15   15   16   16   16   17   17   18   19   19   19   19   19   19   19	1	00.101440041,			
SAGI GENGER	1				
11	- "	SAGI GENGER	'		
13   Subscribed and sworn to before me	11				
13   Subscribed and sworn to before me	1				
14	1	Subscribed and sworn to before me			
15 16 NOTARY PUBLIC 17 18 19 20 20 21 21 22 23 24 25  1	1				
16	1				
16	1				
18	16	NOTARY PUBLIC			
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